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September 29, 2021

VIA ECF

The Honorable Analisa Torres, U.S.D.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007
Email: Torres_NYSDChambers@nysd.uscourts.gov

Re: *Sherry Grimes-Jenkins v. Consolidated Edison of New York, Inc.*
Civil Action No. 16-cv-04897(AT)(RWL)
Related Case: *Sherry Grimes-Jenkins v. Consolidated Edison Company*
of New York, Inc. & Sean Green; Civil Action No. 18-cv-01545(AT)(RWL)

Dear Judge Torres:

This firm represents Defendant Consolidated Edison Company of New York, Inc. ("Con Edison") in the above-referenced action. Together with Plaintiff's Counsel, we write to: request, in accordance with Rule I.C of your Honor's Individual Rules of Practice, a 45-day extension of the deadline for the parties to file a Joint Pretrial Order ("JPTO") and related pre-trial submissions as outlined in the Order to complete mediation proceedings.

The parties respectfully request a 45-day extension of the JPTO and related submission deadlines from October 1, 2021 to November 15, 2021, with any objections or oppositions to follow on November 23, 2021. As stated within the parties' submission dated August 10, 2021 (ECF No. 132), the parties have diligently pursued resolution of this action through a private mediation before trial. While the parties intended to complete mediation proceedings in September 2021, progress has been otherwise delayed as the parties conferred as to a mutually acceptable mediator and explored, but ultimately abandoned, plans for an in person mediation due to the rise of the delta variant. Further, necessary parties were out of office in observance of the Rosh Hashanah and Yom Kippur holidays. The parties have now agreed to a mutually acceptable mediator, negotiated the terms of a virtual mediation, and confirmed the availability of necessary participants for the mediation. To preserve litigation expenses related to the parties' JPTO and pre-trial submissions in advance of mediation and to assist with potential resolution of this action, the parties request a 45-day extension of the JPTO and related pre-trial submissions deadlines.

The parties also request that the Court set a trial date for this action after the parties complete mediation proceedings. To that end, the parties will notify the Court as to the status of their mediation within two days of the proceedings and provide updated blackout dates for trial.



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This is the second request for an extension of any deadlines under the Order. This request is made in good faith and not for the purpose of unnecessary delay. The parties thank you for Your Honor's kind consideration of this request.

Very truly yours,

SEYFARTH SHAW LLP

/s/ Lorie E. Almon

Lorie E. Almon

GRANTED. By **November 15, 2021**, the parties shall submit either their pretrial submissions or a status letter apprising the Court on the status of mediation. The Court, utilizing the procedures within this District governing the scheduling of jury trials during the COVID-19 pandemic, will seek to schedule a jury trial for the second calendar quarter of 2022.

SO ORDERED.

Dated: September 30, 2021
New York, New York

A handwritten signature in black ink, appearing to be 'AT' or similar, written over a horizontal line.

ANALISA TORRES
United States District Judge